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### REMARKS

In the Final Office Action, the Examiner noted that claims 1-20 are pending in the application and that claims 1-20 are rejected. By this response, claims 1 and 12 are amended. Claims 2-11 and 13-20 continue without amendment. In view of the above amendments and the following discussion, Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103. Thus, Applicants believe that all of these claims are now in condition for allowance.

### REJECTION OF CLAIMS UNDER 35 U.S.C. §103

#### **A. Claims 1-4, 8-9, and 12-15**

The Examiner rejected claims 1-4, 8-9, and 12-15 as being unpatentable over Shimomura (United States patent 6,526,580, issued February 25, 2003) in view of Nakatsuyama (United States patent 6,658,231, issued December 2, 2003). The rejection is respectfully traversed.

More specifically, the Examiner alleged that Shimomura teaches distributing information heterogeneous broadcast networks. (Office Action, p. 3). The Examiner conceded that Shimomura does not teach storing collected information in an information database and transmitting some of the information as broadcast information. (Office Action, p. 3). The Examiner stated, however, that Nakatsuyama teaches storing collected information in an information database and transmitting some of the collected information as broadcast information. (Office Action, p. 3). The Examiner concluded that it would have been obvious to use the process of Nakatsuyama with the broadcast networks of Shimomura "for the purpose of allowing each end user to receive content that is tailored to the individual preference of each said end user." (Office Action, p. 3). Applicants respectfully disagree.

Shimomura generally teaches a broadband data broadcast system. (See Shimomura, Abstract). In particular, Shimomura multiplexes a plurality of digital information streams at a centralized broadcast center and broadcasts the multiplexed stream on broadcast media. (Shimomura, col. 2, lines 25-45).

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Nakatsuyama generally teaches a receiver for providing selected information to individual users. (See Nakatsuyama, Abstract). In particular, Nakatsuyama broadcasts a digital program signal along with an index signal that contains the receiver's identifier. The receiver monitors the index signal for its identifier, and uses the detected identifier to receive, download, and store the user's selected program. (Nakatsuyama, Abstract).

The cited references, either singly or in any permissible combination, do not teach, suggest, or otherwise render obvious Applicants' invention as recited in claim 1. Namely, the alleged combination fails to teach or suggest selecting, at a user device, at least one broadcast network from a plurality of heterogeneous broadcast networks and receiving broadcast information in the user device from the selected at least one broadcast network. Specifically, Applicants' amended claim 1 positively recites:

A method of distributing information to a user comprising:  
storing collected information in an information database;  
transmitting some of the collected information as broadcast information over a plurality of heterogeneous broadcast networks;  
selecting, at a user device, at least one broadcast network from the plurality of heterogeneous broadcast networks;  
receiving the broadcast information in the user device from the selected at least one broadcast network; and  
filtering, within the user device, said broadcast information to generate user-specific information.

(Emphasis added). Notably, the user device of Applicants' invention is capable of receiving signals from a plurality of heterogeneous broadcast networks. By selecting one of multiple broadcast networks, Applicants' invention advantageously selects the optimum communication channel or system to deliver the filtered information to the user device. (See Applicants' specification, ¶14).

Shimomura does not teach or suggest selecting at a user device at least one broadcast network from a plurality of heterogeneous broadcast networks for receiving broadcast information. While Shimomura teaches that different types of broadcast systems may be used to deliver data, Shimomura does not teach or suggest that a given receiver system is capable of selecting at least one broadcast network from a plurality of broadcast networks. Rather, Shimomura teaches a receiver system configured to receive data from a single type of broadcast system. Thus, In contrast to

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Applicants' invention, the receiver system of Shimomura is not capable of selecting the optimum broadcast network from a plurality of broadcast networks for receiving the broadcast information.

Nakatsuyama is devoid of any teaching or suggestion of selecting at least one broadcast network from a plurality of heterogeneous broadcast networks. Rather, Nakatsuyama is concerned with selecting a program from at a receiver. Since neither Shimomura nor Nakatsuyama teaches or suggests selecting, at a user device, at least one broadcast network from a plurality of heterogeneous broadcast networks and receiving broadcast information in the user device from the selected at least one broadcast network, no conceivable combination of Shimomura and Nakatsuyama renders obvious Applicants' invention recited in claim 1. Therefore, Applicants contend that claim 1 is patentable over Shimomura and Nakatsuyama and, as such, fully satisfies the requirements under 35 U.S.C. §103.

Amended independent claim 12 recites a system having features similar to the features of claim 1 emphasized above. Thus, Applicants contend that claim 12 is also patentable over Shimomura and Nakatsuyama and fully satisfies the requirements under 35 U.S.C. §103. Finally, claims 2-4, 8-9, and 13-15 depend, either directly or indirectly, from claims 1 and 12 and recite additional features therefor. Since the combination of Shimomura and Nakatsuyama does not render obvious Applicants' invention as recited in claims 1 and 12, dependent claims 2-4, 8-9, and 13-15 are also nonobvious and are allowable.

#### **B. Claims 5-6, 10-11, and 16-19**

The Examiner rejected claims 5-6, 10-11, and 16-19 as being unpatentable over Shimomura in view of Nakatsuyama, in further view of Dowling (United States patent 6,522,875f, issued February 18, 2003). The rejection is respectfully traversed.

Dowling teaches broadcasting packets from a local broadcast domain entity to a mobile unit. (Dowling, col. 6, lines 48-51). The mobile unit selectively filters the broadcast packets in accordance with filter parameters established by the user. (Dowling, col. 9, lines 40-65).

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Claims 5-6, 10-11, and 16-19 depend from claims 1 and 12 and recite additional features therefor. The alleged references, either singly or in any permissible combination, do not teach, suggest, or otherwise render obvious Applicants' invention as recited in claims 1 and 12. As discussed above, the combination of Shimomura and Nakatsuyama fails to teach or suggest selecting, at a user device, at least one broadcast network from a plurality of heterogeneous broadcast networks and receiving broadcast information in the user device from the selected at least one broadcast network. Dowling fails to teach or suggest broadcasting packets using a plurality of heterogeneous broadcast networks. Rather, Dowling describes broadcasting packets using a single local broadcast domain entity. In other words, Dowling employs a single type of broadcast network for a given location. The mobile units in Dowling are limited to the particular local broadcast domain entity in use in at a given location, whereas Applicants' invention permits a mobile device to select among multiple heterogeneous broadcast networks for information delivery. Thus, no conceivable combination of Shimomura, Nakatsuyama, and Dowling teaches or suggests Applicants' invention as recited in claims 1 and 12. Therefore, Applicants contend that claims 5-6, 10-11, and 16-19, which depend from claims 1 and 12, are patentable over the cited references and, as such, fully satisfy the requirements under 35 U.S.C. §103.

#### C. Claims 7 and 20

The Examiner rejected claims 7 and 20 as being unpatentable over Shimomura in view of Nakatsuyama, in further view of Moon (United States patent 6,405,047, issued June 11, 2002). The rejection is respectfully traversed.

Moon generally teaches a device for tracking a mobile station's position in a mobile communications system. (See Moon, Abstract). In particular, Moon teaches a device for calculating positional information using measured phase differences from three base stations. (Moon, Abstract).

Claims 7 and 20 respectively depend from claims 1 and 12 and recite additional features therefor. The cited references, either singly or in any permissible combination, do not teach, suggest, or otherwise render obvious Applicants' invention as recited in

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claims 1 and 12. As discussed above, the combination of Shimomura and Nakatsuyama fails to teach or suggest selecting, at a user device, at least one broadcast network from a plurality of heterogeneous broadcast networks and receiving broadcast information in the user device from the selected at least one broadcast network. Moon does not teach or suggest broadcasting information using a plurality of heterogeneous broadcast networks. Rather, Moon is concerned with a position location system. Thus, no conceivable combination of Shimomura, Nakatsuyama, and Moon teaches or suggests Applicants' invention as recited in claims 1 and 12. Therefore, Applicants contend that claims 7 and 20, which respectively depend from claims 1 and 12, are patentable over the cited references and, as such, fully satisfy the requirements under 35 U.S.C. §103.

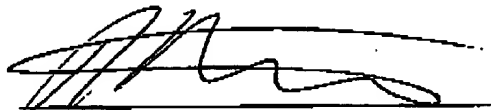
#### **CONCLUSION**

Thus, Applicants submit that none of the claims presently in the application are obvious under the provisions of 35 U.S.C. § 103. Consequently, Applicants believe that all these claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring the maintenance of any adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Robert M. Brush, Esq. or Mr. Kin-Wah Tong, Esq. at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

7/6/04

  
Robert M. Brush, Attorney  
Reg. No. 45,710  
(732) 530-9404

Moser, Patterson & Sheridan, LLP  
Attorneys at Law

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595 Shrewsbury Avenue  
Suite 100  
Shrewsbury, NJ 07702